



DELAINE EASTIN
State Superintendent of Public Instruction



October 26, 2000

To: County Superintendents
District Superintendents
Charter School Principals

Re: **Certification of API Validity**

Dear Superintendent or Principal:

On October 11, 2000 the State Board of Education adopted emergency regulations for the awards programs that specified three instances under which an Academic Performance Index (API) for a school should not be calculated:

- 1) Certification by the local educational agency that there were adult testing irregularities at the school.
- 2) Certification by the local educational agency that the API is not representative of the pupil population at the school.
- 3) Certification by the local education agency that the school has experienced a significant demographic change in pupil population between the base year and growth year, and that the API across years is not comparable.

Regarding instance # 2, we have a major concern with schools in which a significant number of parents have requested that their children be excused from testing. An analysis of the 2000 Standardized Testing and Reporting (STAR) participation data submitted by school districts reveals a significant number of schools with rates of parent exemption requests far in excess of the statewide average of 1.2 percent. This has the potential for producing a situation in which the students who remain in the testing pool in a school are not representative of the school as a whole. In turn, the API for this school would be invalid.

Information available via Internet

On October 30, 2000 we will make the following information, **which you have previously reported to us**, available to local educational agencies via the Internet:

- 1) A data file with each school receiving a 2000 Growth API along with the enrollment on the first day of testing as well as the number and percentage of parents that have requested that students be excused from all STAR testing.
- 2) A list of schools by district in which ten percent or more of students have been excused from all testing at the request of their parents. This list will also contain the total school enrollment in grades 2-11 on the first day of testing as well as the number and percentage of pupils exempted per parent request.

This information will be accessible at:

<http://www.cde.ca.gov/psaa/api/participate>

Review of Information and Response to CDE

We request that you take one of the following actions:

- 1) If you have one or more schools on the ten-percent list, you must certify whether or not the APIs for these schools are representative of the student population at these schools. **You must respond by e-mail and follow this up with a signed letter, certifying in your professional judgment that the school's API as reported is representative or not representative and therefore either valid or invalid.** In making this determination, please consider the impact of exemptions per parent request on the representation of the following student subgroups in the tested population: English Language Learners, socioeconomically disadvantaged students, and ethnic subgroups. In your response to us, please give specific reasons for your determination, paying particular attention to the student subgroups listed above. Please direct these responses to the following addresses:

e-mail: epic@cde.ca.gov

surface mail: Educational Planning and Information Center
California Department of Education
721 Capital Mall, 4th Floor
Sacramento, CA 95814

The deadline for your e-mail response is November 14, 2000, and we must receive the signed letter not later than November 21, 2000. If you fail to respond by the deadlines, we will pull the school's API report from the API web site and post a message explaining our action. The school will be ineligible for the awards program until this matter is resolved.

- 2) For schools that do not appear on the ten-percent list, please review their participation data as they appear in the data file. Pay particular attention to any of your schools with percentages of exemptions per parent request between five and ten percent. Five percent is approximately four times the statewide rate of parent exemption requests. If in your professional judgment, the API for any school is not representative of the student population at these schools, you should notify us by e-mail and follow this up with a signed letter, detailing your reasons for this determination.

The deadline for your e-mail response is November 14, 2000, and we must receive the signed letter not later than November 21, 2000. **If you believe that the API for any school not on the ten-percent list is representative and valid, you need take no further action.**

In summary, if a school has a rate of ten percent or above, you must respond; if a school has a rate of less than ten percent, you need only respond if you determine that the school's 2000 API is invalid.

Public Release of Data

Whether or not you have schools on the ten-percent list, please take this opportunity to review all of the data carefully. Members of the media have already expressed an interest in this information, and we will inform them of the availability of the data on November 2, 2000. **Therefore, you should expect media contacts following the release of the information, particularly if you have schools with significant rates of students exempted per parent request.**

Conclusion

In taking this action, we recognize that parents have a legal right to request that their children be excused from testing. This should be an individual decision made by each family in the best interest of their child. The state and local educational agencies should respect that right. However, the state is not obliged to accept a school's API as valid when the cumulative effect of parent requests could be to exclude a disproportionate number of non-representative students (e.g., low-scoring students) from the school's API. This is particularly true in view of the substantial amount of award money available to schools that meet API growth targets. Ultimately, the success of the accountability system rests on public confidence that the API is a valid measure of school performance and that the system treats schools equitably.

The California Department of Education understands that invalidating an API is a serious matter with potentially serious consequences for local educational agencies. This is particularly true when the 2000 API indicates substantial performance gains at the school. **Under the SBE regulations, invalidation of a school's API has the effect of making the school ineligible for awards for two API cycles.** Despite this, one school district has already requested the invalidation of 2000 APIs for all of its schools with parental exemption rates more than ten percent. A high degree of responsibility and diligence, such as displayed in this example, will ensure the integrity of the accountability system.

If you have questions regarding this matter, please contact Bill Padia, Director, Policy and Evaluation Division, at (916) 657-2757 or Pat McCabe, Manager, in the Policy and Evaluation Division, at (916) 657-3740.

Sincerely,

PAUL WARREN
Deputy Superintendent
Accountability Branch